

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/528,036
Applicant: Craig A. Andreiko
Confirmation No.: 2750
Filing Date: December 2, 2005
Examiner: Heidi Marie Eide
Art Unit: 3732
Title: CUSTOM ORTHODONTIC APPLIANCE SYSTEM AND METHOD
Attorney Docket: ORM-231US

Cincinnati, Ohio

December 7, 2010

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR CONSIDERATION OF
INFORMATION DISCLOSURE STATEMENT**

This Request is in response to the Office Communication mailed on November 10, 2010, attached as Exhibit A, in which the Examiner states

1. The information disclosure statement filed July 15, 2010 fails to comply with 37 CFR 1.97(d) because it lacks the fee set forth in 37 CFR 1.17(p). It has been placed in the application file, but the information referred to therein has not been considered.

Applicant disagrees. The Information Disclosure Statement and Transmittal Letter filed on July 15, 2010, attached as Exhibit B, includes the proper Certification Statement under 37 C.F.R. §1.97(e)(1) and authorization to charge Deposit Account No. 23-3000 for the required fee, as evidenced on Page 2 of Exhibit B:

Applicant respectfully requests that these references be considered and made of record in this file. Applicant does not believe that any fees are due in connection with this submission. However, if any additional fee is necessary to complete this communication, the Commissioner should consider this to be a request for such and should charge any necessary fees to Deposit Account No. 23-3000.

Therefore, Applicant respectfully requests that the fee set forth in 37 C.F.R. §1.17(p) be charged to Deposit Account No. 23-3000 and that the Information Disclosure Statement be appropriately considered.

Applicant does not believe a fee is due as a result of this Request for Consideration of Information Disclosure Statement. However, if any additional fee is necessary to complete this communication, please apply such fee to Deposit Account No. 23-3000.

Respectfully submitted,
WOOD, HERRON & EVANS LLP.

By: / Thomas W. Humphrey /
Thomas W. Humphrey, R No. 34,353

2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202
513/241-2324 (voice)
513/241-6234 (facsimile)